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PTO/SB/21 (09-04)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/787,970
Filing Date	September 26, 2001
First Named Inventor	Lindhofer, Horst
Art Unit	1642
Examiner Name	HELMS, Larry Ronald
Attorney Docket Number	080575-000000US

## ENCLOSURES (Check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard; Power of Attorney and Correspondence Address Indication Form; Statement Under 37 CFR 3.73(b) |
|--|---|--|

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Chuan Gao		
Date	December 2, 2005	Reg. No.	54,111

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Patricia Andrews	Date	December 2, 2005

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Horst LindhoferApplication No./Patent No.: 09/787,970 Filed/Issue Date: September 26, 2001Entitled: TIME-STAGGERED UTILIZATION OF TUMOR CELLS IN COMBINATION WITH INTACT ANTIBODIES FOR IMMUNIZATIONTRION PHARMA GmbH, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Peter Ruf To : Horst Lindhofer  
The document was recorded in the United States Patent and Trademark Office at  
Reel 912236, Frame 0464-0047, or for which a copy thereof is attached.
2. From: Horst Lindhofer To : TRION PHARMA GmbH  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a **copy thereof is attached**.
3. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]  
Signature

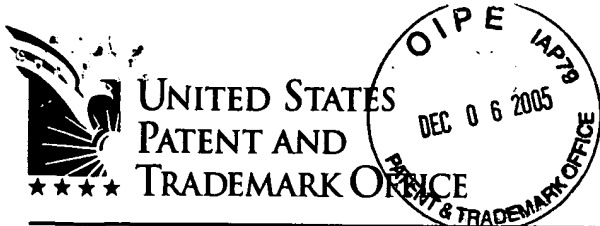
18 Nov 2005  
Date

Dr. Horst Lindhofer

Printed or Typed Name

Telephone Number

CEO  
Title



MMH  
080575 000000 US

DECEMBER 17, 2001

PTAS  
TOWNSEND AND TOWNSEND AND CREW LLP  
HENRY HEINES  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111-3834

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov



\*101873311A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/26/2001

REEL/FRAME: 012236/0464  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
RUF, PETER

DOC DATE: 07/30/2001

ASSIGNEE:  
LINDHOFER, HORST  
BODENSEESTRASSE 12  
GROEBENZELL, FED REP GERMANY  
D-  
82194

SERIAL NUMBER: 09787970  
PATENT NUMBER:

FILING DATE: 09/26/2001  
ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

0-15-2001



09/78/976

App. No. 080575-000000US

APOT Rec'd 26 SEP 2001

FORM PTO-1595  
(Rev. 6-93)

101873311

Sheet

U.S. Department of Commerce  
Patent and Trademark Office

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

Peter Ruf

Additional name(s) of conveying parties attached? ☐ Yes  
☒ No.

## 2. Name and address of receiving party(ies)

Name: Horst Lindhofer

Internal Address:

Street Address: Bodenseestrasse 12

City: Groebenzell

Country: Germany

ZIP: D-82194

Additional names and addresses attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: July 30, 2001

## 4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/787,970

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: M. Henry Heines  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200

## 6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): \$40.00

☐ Enclosed ☒ Charge Fees to Deposit Account☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

10/02/2001 UEDUVIJE 00000083 201430 09787970

02 FC:581 40.00 CH

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.*

M. Henry Heines  
Name of Person Signing

Signature

September 26, 2001  
Date

Atty. Reg. No. 28,219

Total number of pages including cover sheet, attachments and document 2

10. Change Correspondence Address to that of Part 5? ☒ Yes ☐ No

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover to:

Asst. Commissioner for Patents  
Box: Assignments  
Washington, D.C. 20231

**ASSIGNMENT OF PATENT APPLICATION**

WHEREAS, Peter Ruf of Keltenstrasse 11, D-82296 Schoengeising, Germany, hereinafter referred to as "Assignor", is a coinventor of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **TIME-STAGGERED UTILIZATION OF TUMOR CELLS IN COMBINATION WITH INTACT ANTIBODIES FOR IMMUNIZATION**

Date(s) of execution: \_\_\_\_\_

Filing date: \_\_\_\_\_ Serial No.: 09/787,970 ; and

WHEREAS, Horst Lindhofer of Bodenseestrasse 12, D-82194 Groehenzell, Germany, hereinafter referred to as "Assignee", is desirous of acquiring Assignor's interest in the said invention and application and in any U.S. Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all his right, title and interest in and to the said invention and application and all future improvements thereon, and in and to any Letters Patent which may hereafter be granted on the same in the United States, the said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignor had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that he will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his name on the date indicated.

Date: 30 July 2001

  
\_\_\_\_\_  
Peter Ruf

**REASSIGNMENT OF PATENT APPLICATION  
AND CERTIFICATION**

WHEREAS, Horst Lindhofer of Bodenseestrasse 12, Groebenzell, D082194 Germany, hereinafter referred to as "Assignor," is the co-inventor and sole owner of the invention described and set forth in the below-identified application for United States Patent and Trademark Office by virtue of the Assignment from his co-inventor Peter Ruf, executed on July 30, 2001 and recorded by the Assignment Division of the United States Patent and Trademark Office on September 26, 2001, Reel/Frame: 012236/0464.

Title of Invention:   TIME-STAGGERED UTILIZATION OF TUMOR  
CELLS IN COMBINATION WITH INTACT  
ANTIBODIES FOR IMMUNIZATION

Filing Date:           September 26, 2001

Application No.:       09/787,970; and

WHEREAS, TRION PHARMA GmbH of Frankfurter Ring 193a, D-80807 München, GERMANY, hereinafter referred to as "ASSIGNEE," is desirous of acquiring ASSIGNOR'S interest in the said invention and application and in any U.S. Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all his right, title and interest in and to the said invention and application, and in and to any Letters Patent which may hereafter be granted on the same in the United States, the said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignor had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

The undersigned, Horst Lindhofer, certifies that he is, prior to the present Reassignment, indeed the assignee of the entire right, title and interest in United States Patent Application No.09/787,970, by virtue of the assignment referred to above. The undersigned has reviewed all the documents in the chain of title of said patent and certifies that, to the best of the

undersigned's knowledge and belief, title to said patent application at the time of the present Reassignment belongs to him.

The undersigned hereby declares that all statements made herein of his own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of said patent.

IN TESTIMONY WHEREOF, Assignor has signed his name on the date indicated.

Dated: 18 Nov 2005

Horst Lindhofer

SIGNATURE WITNESSED BY:

Dated: 18. November 2005

Christine Herold  
Signature of Witness

Christine Herold

Printed Name

Dated: 18. Nov. 2005

Ulrike Gonzalez  
Signature of Witness

Ulrike Gonzalez

Printed Name



**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	09/787,970
Filing Date	September 26, 2001
First Named Inventor	Lindhofer, Horst
Title	TIME-STAGGERED UTILIZATION OF TUMOR CELLS IN COMBINATION WITH INTACT ANTIBODIES FOR IMMUNIZATION□□
Art Unit	1642
Examiner Name	HELMS, Larry Ronald
Attorney Docket Number	080575-000000US

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

**20350**

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Signature

Date

Name

Dr. Horst Lindhofer - CEO & President

Telephone

Title and Company

TRION PHARMA GmbH

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.